

U. S. BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA

ABINGDON CALENDAR - JULY 23, 2003

(The Honorable William F. Stone, Jr. Presiding)

(Start: _____ Recess: _____ ♦ Resume: _____ Stop: _____ ♦ Trials: _____ Proceedings _____)

Attys: Debtors: Case Nos.: Trustees:

9:30 A. M. - PRE-TRIAL CONFERENCES

Large	GARY & ANGELA ROSENBAUM-CH7 A/P 7-03-00037: Object to or revoke discharge (11USC§727) <i>contd fr 6/18</i> W. Clarkson McDow Jr, U. S. Trustee (Garber) v. Debtors <u>Motion of Plaintiff for entry of default judgment order filed 6/27; d/e # 9</u>	7-00-04193	Callahan/LM
J Jessee	ARTHUR H, III & BOBBIE GAYE GREGORY A/P 7-03-00065: Det dischargeability Wheels Automobiles Inc, dba Phil Bachman Honda(Reecher) v. debtors -contd from 7/2 by order of 5/22 -Mot to dismiss as to defendant Bobby Gay Gregory (failure to state cause of action) <u>Response of Plaintiff to Motion to Dismiss filed 6/17; d/e # 8</u> A/P 7-03-00066: det. Dischargeability Manheim Automotive Financing Service dba Harrisonburg Auto Auction(Esposito) V. Debtors & Auto Brokers, aka Art Gregory	7-03-00442	Wick/SO
J Jessee	ARTHUR H, III & BOBBIE GAYE GREGORY A/P 7-03-00067: Revoke or object to discharge & det. Dischargeability William C. Baker Jr (J Jessee) & Chad William Baker (J Jessee) v. Arthur H Gregory III (Copeland) **case adm. Is checking to see if this AP having two plaintiffs, requires two separate AP's as has been the procedure in the past.	7-03-00442	Wick/SO
Copeland	MARSHALL & ALLISON LINEBERRY- A/P 7-03-0057: Det. Dischargeability Blue Ridge Bank NA (J.Gregory,III) v. debtors <i>To be heard by telephone conference 7/29 @ 2:00 - Gregory to initiate call</i>	7-03-00313	Wick/S
Harman	TAMMY BRINKLEY-ch7 A/P 7-03-00075: Recover money or property	7-03-00900	Callahan/JM

Wm. E. Callahan Jr Trustee (Callahan) v. Daimler Chrysler LLC ()
See also 10:00 a.m. further hearing on Motion #1 of Daimler Chrysler

Abingdon Calendar - 7/23/03

9:30 A. M. - PRE-TRIAL CONFERENCES

Lamie JACKSON V. & LAURA KISER-ch13 7-03-00001 Widener/SO
A/P 7-03-00076: Det. Liens
Debtors v. Russell Co Va.(); New Peoples Bank(Hutton);
United Way of SW Va (); Builders Supermarket Inc(Bragg);
Kenneth Hart, Trustee(); Gary Lawson, Trustee();
Jackson R. Kiser(CODY); & Superior Financial Services Inc()
ANSWER filed by Defendant/Jackson R. Kiser (Cody) on 6/6
ANSWER and COUNTERCLAIM of Builders Supermarket, Inc./Defendant (Bragg)
filed on 6/26
ANSWER filed by New Peoples Bank, Inc./Defendant (Hutton) on 6/27
ANSWER filed by Jackson R. Kiser/Defendant (Cody) to Counterclaim of Builders
Supermarket, Inc., on 6/27

Carmody OLIE & LULA PETTIE-ch7 7-03-01314 Krippend/SJ
A/P 7-03-00078: Revoke of Object to Discharge
U. S. Trustee W. Clarkson McDow Jr (Garber) v. Debtors

(See also Debtors' Motion to Dismiss Case at 1:30 p.m.)

Carroll RONNIE & MELISSA BLANKENSHIP-CH7 7-02-04605 Wick/S
A/P 7-02-00175: ***Plaintiff Motion for Sanctions: failure to comply with discovery order***
Snap On Credit LLC (Fleischhauer/Huebschmann) v. Ronnie Blankenship

10:00 A. M. - MISCELLANEOUS

Carmody JAMES & LOIS ESKEW`-ch7 7-03-00425 Wick/SL
Motion to showcause: Contempt: Imposition of Sanctions: v. SunTrust Bank (Esposito)
filed 3/17; d/e # 16 contd from 6/18 to file Mot to Redeem vehicle @ issue
note: S/C set 8/6 @ 10:00 (failure of counsel to tender order contg mot.from 6/18)

Motion for Valuation : Debtors v. Suntrust Bank, 1999 Kia, filed 6/23, d/e # 32

Carroll MARK & NANCY HUNNELL-ch7 7-03-02578 Shortridge/AF
Motion to Dismiss case filed by debtors, filed 6/20; d/e # 11
–ORDER of 7/15, d/e # 14, withdraws motion to dismiss case; hearing cancelled

Abingdon Calendar - 7/23/03

10:00 A. M. - MISCELLANEOUS

Harman TAMMY BRINKLEY-ch7 7-03-00900 Callahan/JM
Motion #1: Daimler Chrysler Services NA LLC (Higgs) v. Debtor & Trustee
–contd by court’s order of 6/10 for hearing upon Trustee’s Motion for
Reconsideration

Arey RONALD & ANGELA JOHNSTON - Ch. 7 7-03-01453 Callahan/VS
Trustee’s Motion to Dismiss Case or Extend Deadline for Objection to
Discharge [d/e # 12]
***–Order (agreed) entered withdrawing trustee’s dismissal motion and granting
extension of deadline to obj to discharge to 8/24***

Copeland RONALD CATRON-ch7 7-03-00831 Callahan/GR
Obj of Trustee to Claim of Exemptions filed 6/30; d/e # 21

Farthing LISA STONE 7-03-01279 Krippend/NS
Motion of Trustee for Extension of Time to file objection o exemptions; complaints re:
discharge/dischargeability filed 6/11, d/e # 15, 16

Lamie GEORGE MARSHALL - CH7 7-01-02972 Callahan/SJ
Motion of Debtor by counsel for Credit Against Judgment of Trustee, filed 4/23, d/e#131
– contd from 5/21 & 7/23

Copeland TRAVIS & MICHELLE HALL-ch7 7-03-01730 Callahan/VS
Motion #1: avoid lien - filed 5/28; d/e # 16, 17
Debtors v. TICO Credit Co Inc c/o Dewey B. Morris, Reg. Agt

Abingdon Calendar - 7/23/03

10:00 A. M. - MISCELLANEOUS

Copeland ROBERT KESTNER-ch7 7-03-01339 Krippend/VS
Motion #1: Avoid lien, filed 6/5, d/e # 12, 13
Debtor v. American Gen. Finance of america Inc: served: Corporate Service Company,
Registered Agent.

Copeland JOHNNIE E BELCHER-Ch7 7-02-02177 Wick/LM
A/P 7-02-00086: ***Defendant Motion to Alter/Amend Judgment filed 6/2 w/notice***
Yonda Belcher Jones (Gregory Matney) v. debtor defendant/counter plaintiff (Copeland)

Hendricks MARK & CYNTHIA GAMBLE-ch7 7-03-02192 Wick/SJ
Motion #1: Avoid lien - filed 6/13, d/e # 14, 15
Debtors v. Citifinancial Inc

Motion #2: Relief - filed 6/26, d/e # 17, 18
New Peoples Bank (Hutton) v debtors & trustee
—ORDER entered 7/17; (agreed) hearing cancelled
.

Motion #3: Relief - filed 6/26; d/e # 19, 20
CitiCapital Commercial Corp (Fleischhauer) v. MARK Gamble & trustee

Motion #4: Relief - filed 6/27; d/e # 21, 22
Nissan Motor Acceptance Corp (VanBeek) v. debtors & trustee

Slavin THOMAS & LINDA JONES-ch7 7-03-01418 Krippend/AF
Motion of Trustee to Dismiss case; failure to cooperate, d/e # 16, filed 6/25
–Order of 7/18 withdrew trustee’s motion

Harmon GORDON & PRISCILLA CLARK-ch7 7-03-01920 Callahan/SJ
Motion #1: Relief - filed 6/26, d/e # 10, 11
First Indiana Bank (Moore) v. debtors & trustee
–ORDER entered 7/17; (agreed) hearing cancelled

Abingdon Calendar - 7/23/03

10:00 A. M. - MISCELLANEOUS

Money HARRY & JANELL SEAGLE-ch7 7-03-02247 Shortridge/NS
Motion #1: Relief - filed 6/12 d/e # 10, 11, 12
Associates financial Services (Sasser) v. debtors & trustee
Movant’s certification filed 6/19; d/e # 15

Copeland ROY STANLEY - Ch. 7 7-03-01093 Wick/VS
Debtor’s Motion for Order of Contempt against Platinum Financial Services
[d/e # 13]
Answer of Platinum Financial Services (Huebschmann) filed 7/15, d/e # 17

Farthing ERNEST WILLIAMS-ch7 7-03-01533 Callahan/VS
Motion #1: Relief - filed 6/24, d/e # 12, 14
Daimlerchrysler Services NA LLC (Higgs) v. debtor & trustee
–ORDER (consented by debtors/default by trustee) entered 7/15 granted relief

Arkema WOODTECH, INC-ch7 7-02-02451 Krippendorf/GR
Motion #12: for Approval to Purchase certain leased Property and sell property of
the estate free and clear of liens; d/e # 227
Evelyn K. Krippendorf, Trustee (Krippendorf) v. IRS c/o US Atty; c/o District
Director; and c/o Atty Gen of the U.S.Tax Div; () Tazewell Co Va., c/o
Dennis Simmons, County Atty (Lamie) ; First Community Bank NA c/o J Peter Richardson,
Esq (); and West Va State Tax Div c/o Rebecca
Melton Craig, Esq ()

Motion #14: Relief - filed 7/7; d/e # 232, 233; less than 20-day ntc; no p/h ord. entered
Tazewell County VA (Lamie) v. debtor & trustee
RESPONSE filed by Trustee 7/11 [d/e # 235]

Slavin WILLIAM & TAMMY NUCKOLLS 7-03-01788 Shortridge/AF
Motion #1: relief - filed 6/24, d/e # 15, 17
DaimlerChrysler Services NA LLC (Higgs) v. debtors & trustee
–ORDER entered 7/17; (default) hearing cancelled

Abingdon Calendar - 7/23/03

10:00 A. M. - MISCELLANEOUS

Snodgrass ROGER & SHIRLEY HENDERSON-ch7 7-03-01141 Wick/GR
Motion #2: Relief - filed, 6/24, d/e # 23, 25
DaimlerChrysler Services NA LLC (Higgs) v. debtors & trustee
–ORDER of 6/30 granted relief, cancels hearing on motion #2

Cline GLEN CASTLE-ch7 7-01-00201 Callahan/GR
Motion of Trustee for Compensation of \$1177.19 and Expenses of \$171.44
Filed 6/13, d/e # 51, 53, 54, 55 (objs deadline 5 days before hearing)
–NOTIFICATION of trustee of no obj; order/notice therefore self-executing

Wick JOHN & JULIA SULLIVAN - Ch. 7 7-03-01363 Krippendorf/VS
Motion # 1: Avoid lien [d/e # 13]
Debtors v. Tri-Cities Finance Company ()

Motion # 2: Avoid lien [d/e # 14]
Debtors v. Equity One Consumer Loan Co. ()

Motion # 3: Avoid lien [d/e # 15]
Debtors v. Superior Financial Services, Inc. ()

Motion # 4: Avoid lien [d/e # 16]
Debtors v. Superior Financial Services, Inc. ()

Motion # 5: Avoid lien [d/e # 17]

Debtors v. Tico Credit Co. ()

Motion for Compensation in the amount of \$750 filed by Debtors' counsel [d/e # 23]

Snodgrass ANTHONY & JULIA SEMONES-ch7 7-03-01699 Wick/S
Motion #1: relief - filed 6/24, d/e # 28, 29, 30
Daimler Chrysler Services NA LLC (Higgs) v. debtors & trustee

Carroll RICKY & MARGUERITE HESS-ch7 7-03-02005 Callahan/SL
Motion #1: Avoid lien - filed 6/20; d/e # 10, 11
Debtors v. Beneficial Virginia Inc

Abingdon Calendar - 7/23/03

10:00 A. M. - MISCELLANEOUS

Carmody MICHAEL & HEATHER STILLWELL-ch7 7-03-01917 Callahan/NS
Motion #1: Relief - filed 6/26; d/e # 10, 11, 12
Centex Home Equity Corp (Zimm) v. debtors & trustee

Snodgrass CHRISTOPHER & CHAMA ROBERTS-ch7 7-03-02354 Wick/SL
Motion #1: Relief - filed 6/24, d/e # 10, 11
Bank One NA (Neyhart) v. debtors & trustee
movants certif filed 7/7; d/e # 12
–Ord entered 7/21, cancels hearing

Widener JARROD BOWERS-ch7 7-03-02203 Shortridge/VS
Motion #1: relief - filed 6/26, d/e # 10, 11
Nissan Motor Acceptance Corp (VanBeek) v. debtor & trustee

Kelly SANDRA RIFE-ch7 7-03-02339 Wick/VS
Motion #1: relief - filed 6/27; d/e # 11, 12, 13
DaimlerChryslerServices NA LLC (Higgs) v. debtor & trustee
–ORDER entered 7/17; (default) hearing cancelled

Antenucci JOEY & CHRISTIE GOBBLE-ch7 7-03-02235 Shortridge/SL
Motion #1: relief - filed 6/19; d/e # 10 11, 12
Wells Fargo Financial Acceptance (Smith) v. debtors & trustee

Motion #2: Relief - filed 6/30; d/e # 13, 14, 15
Oakwood Acceptance Corp (Maxwell) v. debtors & trustee

Abingdon Calendar - 7/23/03

10:00 A. M. - MISCELLANEOUS

Farthing WILLIAM HAYWOOD III 7-03-02500 Wick/SO
Motion #1: Relief - filed 6/27; d/e # 11, 12, 13
Standard Federal Bank (Christine Patterson/F HARMAN) v. debtor & trustee

Case converted on 7/16 to Ch 13 & conf. Hrg set 10/8 @ 1:00

Slavin RALPH & EVELYN THOMPSON-ch7 7-03-01790 Shortridge/LM
Motion for Bifurcation filed by Debtors, filed 6/27; d/e # 20

Note: trustee has filed Motion to Dismiss case of female debtor (after bifurcation) and scheduled same for 8/20 @ 10:00

Gifford RICHARD & DOLLIE WORLEY - Ch. 7 7-03-02409 Wick/LM
Motion # 1: Relief–filed 6/30 [d/e # 10]

Consent order is circulating (Hill)

Fleenor DONALD & TANYA FOOTE - Ch. 7 7-03-02152 Shortridge/SJ
Motion # 1: Relief–filed 7/2 [d/e # 11]
Centex Home Equity Corporation (Zimm) v. Debtors & Trustee

Antenucci
Copeland COVER GIRL SEEDING-ch7 7-00-01332 Callahan/SJ
Obj of Trustee to Claim #6 of Selco Seeding Inc, filed 5/23, d/e # 62 , 63
Response of claimant filed 6/25, d/e # 64 (Esposito) - cont'd from 7/2

Pro se BOBBY BLAIR-ch7 7-02-04921 Krippend/GR
Showcause: Sherry Ketchum, Bankruptcy Petition Preparer to appear and showcause
why she should not be taken into custody and held until contempt is purged by
return of fee to U. S. Trustee for benefit of Debtor (Garber)

Abingdon Calendar - 7/23/03

11:00 A. M. - MISCELLANEOUS

Leonard
Lawson LAMBERT OIL CO INC-chll 7-03-01183 DIP/VS
Status hearing New Ch 11 case –***contd by ord of 7/15 to 8/6 @ 11:00*** O/C
8/6

Motion #1: relief - filed 4/21, d/e # 25, 26, contd from 5/21 & 6/4 & 6/18
Bay View Franchise Mortgage Acceptance Co (Humphreys/Dessauer) v Debtor
Response of Debtor filed 4/30, d/e # 29
Note: Walt Bressler appeared for Highlands Union Bank interested party
–note : Mot for continuance filed - amended mot forthcoming with
proper endorsements (Leonard/Lawson) (*settlement meeting to occur on 7/24*)

Motion of Associate Va Counsel for Debtor for fees of \$9,266.00 and \$83.72
Expense filed 6/18, d/e # 43; renoticed 6/20, d/e # 46
***Obj:** BayView Franchise Mortgage Acceptance (Humphries/Dessauer)
****pleading endorsement may be deficient – forwarded to chambers for review***

Jessee,C	GENERAL CREATIONS, INC.-involuntary (attorney for petitioning creditors John Lamie) Hearing to Consider and Act upon Answer of Alleged Debtor filed 5/20, d/e # 5 with Request for Attorney Fees and Costs (C Jessee)	7-03-01782	SJ
	– ORDER of adjudication to be entered; case to be administered under Ch 7 (Pursuant to Pleadings filed 7/21 by counsel for debtor withdrawing objection to involuntary petition; asking that case proceed under Ch 7)		
Copeland	GEORGE S PATTON-chll Notice of Hearing on Amended Plan (written objections due by 3/26) , d/e # 114 (Plan filed 2/18; d/e # 107) <i>contd from 5/7 & 6/4</i>	7-02-01131	DIP/GR
Copeland	SARAH ANDERSON-ch7 Motion for Contempt: filed 3/10; d/e # 19 Debtor v. Platinum Financial Services fka Direct Merchants Bank (Huebschman*); Collection Co of America (); Alltel Communications(); and Federal Diversified Services div of Pacesetter Corp dba in Va. As Pacesetter Products Inc (Fleischhauer**) <u>*Response of Platinum Financial Services filed 3/24, d/e # 20 (Huebschman)</u> <u>**Response of Federal Diversified Services filed 4/3, d/e # 22 (Fleischhauer)</u> <i>TRIAL; RE: defendants Alltel & Platinum Financial</i>	7-01-05131	Wick/GR
Abingdon 7/23/03	<u>1:00 P. M. - CHAPTER 13 CONFIRMATIONS</u>		
Timoney	LARRY & PEGGY PARRIS Mod Plan filed 7/22 with Debtors' Orig signatures, d/e # 15, 20, 21 Objection: EMC Mortgage Corp (Sasser/Esposito) d/e # 14 <i>contd fr 7/23 pending ruling on A/P 02-128'; oral argument heard 8/4 on AP</i>	7-02-02448	Widener/AF
Snodgrass	VICTOR & DONNA FELTY Mod plan filed 6/9; d/e # 16 <i>contd from 7/23</i> OBJ: to prior plan: SLM Financial Corp (Hutton) d/e # 14	7-03-01380	Widener/AF
Proctor	DIXIE MITCHELL Mod Plan filed 5/28; d/e # 24, 25 – <i>may be confirmed prior to hrg if trustee recommends</i>	7-03-00490	Widener/LM

Lamie JACKSON & LAURA KISER-chl3 7-03-00001 Widener/GR
Mod Plan filed 6/6; d/e # 34, 35 (amendment to schedules I & J d/e# 36) *cont fr 7/23*
Obj: Builders Supermarket Inc (Bragg) filed 6/26, d/e # 38

Gifford ALLEN & PRINCESS MCCracken-chl3 7-03-00584 Widener/AF
Mod Plan filed 6/2, d/e # 25, 26
Obj: Moore Loans Inc t/a MAC (Curley) *contd from 6/4*
Obj: Household Automotice Finance (Smith) filed 6/27;d/e # 33

Valuation: Refrigerator: McNeil Furniture, filed 6/11; d/e # 29

Valuation: 1995 Dodge Caravan: Household Automotive finance; filed 6/11, d/e # 30
Response of claimant filed 6/27;d/e # 32 (Smith)

Valuation: 2000 Chev. Cavalier: Moore Loans; filed 6/11, d/e # 31

Abingdon 7/23/03

1:00 P. M. - CHAPTER 13 CONFIRMATIONS

Hutchinson RICKIE & BONICHA ENNIS 7-03-00184 Widener/AF
Mod Plan filed 5/1, d/e # 24 with c/s all creditors; contd from 6/4
Trustee Report, Obj & Showcause: Convert/dismiss, d/e # 22, contd from 6/4

Valuation: 1993 F150 Pickup: Commonwealth Community Bank; filed 6/11, d/e # 28

Valuation: 1997 Honda CRV : U S Bank; filed 6/11, d/e # 29

Proctor GARY HAMMER-chl3 7-00-04114 Widener/GR
-conf set 9/3 @ 1:00 on Mod Plan filed 7/15
Motion of Trustee to Convert/Dismiss , d/e # 51, contd fr. 4/16, 5/21, 6/4 & 7/2

Timoney DANNY & DEBRA BELCHER 7-02-05043` Widener/VS
Plan filed 12/11, d/e # 6 *Contd fr 3/5 & 4/16*
Objection: IRS (Eckert) filed 2/21, d/e # 17, **–dismissed by order of 5/22, d/e # 29**

see also confirmation hearing at 2:00 p.m. on David & Wnda Jackson #7-02-05148

1:00 P.M. - MISCELLANEOUS

Harrell ROBERT & NANCY HALL-ch7 7-03-01481 Callahan/GR
Motion #1: Avoid lien - filed 7/7; d/e # 14, 15
Debtor v. Beneficial of Va. Inc() and Trustee

Snodgrass RAYMOND & LINDA SHAFFNER - Ch. 13 7-03-00867 Widener/NS
Motion for Valuation of 2001 Nissan Sentra–lienholder, Citizens Auto
Finance, Inc. in the amount of \$10,690.80 [d/e # 28]
–conf hrg set 8/6 @ 9:30 & AP set on 8/6 @ 9:30

Abingdon Calendar - 7/23/03

1:00 P.M. - MISCELLANEOUS

Via RALPH DENTON-ch13 7-03-01455 Widener/SL
Valuation: 1999 Chev. Pickup: Tri-Cities Finance, filed 6/6, d/e # 17
–Obj filed 6/17, d/e # 18, (Copeland) contd fr 7/2
–AGREED order entered 7/21 fixed value & cancels hearing

Snodgrass MARK & BARBARA WILLIAMS 7-03-00855 Widener/SL
Motion for Valuation: Heilig Meyers Furn Co (furniture) filed 6/4, d/e # 35
note: conf hrg now scheduled 8/20 @ 1:00

1:30 P. M. - MISCELLANEOUS HEARINGS

Gifford JAMES & ESTHER HUDSON - Ch. 13 7-01-03179 Widener/NS
Motion # 1: Relief—filed 12/10/01 [d/e # 27]; granted 1/18/02 [d/e # 39]
MorEquity (Moore) v. Debtors & Trustee
--*Debtors' Motion for Reinstitution of Automatic Stay [d/e # 51]* contd fr 6/4

Carmody HASSEL & GAYLENE JUSTUS-ch13 7-01-04945 Widener/SL
Motion to Redeem property v. Citifinancial: filed 6/10; d/e # 103
Objection by Trustee to Motion to Redeem & amended Schedule C [d/e # 104]

Farthing DEBRA SEMONES-ch13 7-02-04248 Widener/AF
Motion #3: Sell property free of liens filed 6/16, d/e # 80;
Debtor v. American General Finance (& served Tracy Neyhart)
—*contd from 7/23*

Carmody OLIE & LULA PETTIE - Ch. 7 7-03-01314 Krippendorf/GR
Debtors' Motion to Dismiss Case [d/e # 13, 14]

(*See also A/P hearing @ 9:30 a.m.*)]

Abingdon Calendar - 7/23/03

2:00 P.M. - CONFIRMATION

Lamie DAVID & WANDA JACKSON - Ch. 13 7-02-05148 Widener/AF
Confirmation hearing & Trustee's Objection & Show Cause cont'd from 7/2 [d/e # 43]

2:00 P. M. - MISCELLANEOUS

Jessee DARRELL BREEDING -ch7 7-02-03003 Callahan/VS
Trustee Mot. For Authority to Sell Property of the Estate and Notice of Intent
to sell filed 7/7; d/e # 102, 103, 104
(objs due 5 days before hearing, absent which order & notice is self-executing)

2:30 P. M. - MISCELLANEOUS

Copeland BEAR RIDGE MINING-chll 7-00-00708 DIP/AF
Oral Argument on Applications of R. Anders, G. Christian, D. Houchins and J Meadows
(Lamie) for Payment of Administrative Claims – *cont'd from 7/2* [d/e # 205]